

Testimony of:

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Improving Programs Designed to Protect At-Risk Youth
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For 37 years, the North American Council on Adoptable Children (NACAC) has supported adoptive families and advocated for permanent families for foster children. States have made dramatic progress in increasing adoptions from foster care in the last decade (to 57,000 in FY 2009). Since 2000 more than 500,000 children have been adopted from foster care. Support for these children and the families who adopt them is one of NACAC's primary concerns.

Efforts to achieve permanence for a child should not stop when an adoption finalizes. Families very often need support to ensure their adoptions are safe, stable, and lifelong.

The Need for Post-Adoption Services

Children adopted from foster care bring with them their histories and their experiences of loss, trauma, abuse and neglect. In too many cases, they bring brain damage from prenatal alcohol or drug exposure and a family history of mental illness. Many foster children waiting for adoption—and children already adopted from foster care—have special physical, mental health, and developmental needs. Studies show that these children are at heightened risk of moderate to severe health problems, learning disabilities, developmental delays, physical impairments, and mental health difficulties.

These issues always have an impact on the family—along a continuum that can run from challenging to disabling. Each child and her family must have access to adoption-competent resources and support services that can serve to keep the child safe and stable in her home. In fact, many families report that inappropriate or untrained providers can cause more harm than good to their children and families.

NACAC recently conducted a nationwide survey to assess what support services are most effective, what is available, and where the gaps are. The results of the survey show that:

- Many children had significant difficulties in school (89.6 percent) or the community (53.5 percent).
- When asked what would help, 73 percent of parents indicated that a greater understanding of adoption issues—by school personnel and community members—would reduce the challenges their children face.
- Overwhelmingly, parents and providers agree that raising children adopted from foster care requires supports and resources that are specifically designed to address the experiences the children bring to the adoptive family.
- Appropriate services are often beyond the reach of the average adoptive family, and parents identified the following barriers to receiving needed support:
 - Inability to find needed services (43%)
 - Providers who don't understand adoption issues (39%)
 - Services that cost too much (33%)

- Providers who don't accept Medicaid (30%)¹

Unfortunately, in extreme cases, when the needs of a child adopted from foster care cannot be met at home, he is at risk of reentering foster care and/or entering a residential or psychiatric program where the costs can run as high as \$100,000 per year.

What is the role of government in adoptive families' lives? According to the Adoption and Safe Families Act, the government's mandate is to ensure the safety, well-being, and permanence of each child entering foster care. Placing children into adoptive families who do not have the ability to access appropriate services for those children flies in the face of this mandate and its implications. It is not the intent or the spirit of the law, and often leaves children without safety, well-being, or permanence.

Funding Recommendations Related to Post-Adoption Support

It is time for the federal government to ensure a steady, substantial funding stream directed at post-adoption services. By targeting existing child welfare funding streams—Title IV-B2, Adoption Incentives, and the Fostering Connections Act's maintenance of effort funds—to post-adoption services, the government can ensure its promise to foster children is kept without spending any additional resources.

Currently, states can apply these funds with great discretion to a variety of health and human service efforts. Even those jurisdictions that use these monies for adoption often pour the largest percentage into recruiting new adoptive families, while ignoring the needs of the families they have already created.

We are not seeking new government funds, but rather a designation that a significant portion of funds already being drawn down be applied to support the families that step forward to love, protect, and parent children who have been in foster care.

NACAC's specific recommendations are:

- Title IV-B Subpart 2 of the Social Security Act, The Promoting Safe and Stable Families (PSSF) Act provides state welfare agencies with funding for four categories of services: family preservation, family support, time-limited reunification, and adoption promotion and support. HHS regulations require states to spend at least 20 percent in each of the categories. Emilie Stoltzfus's report *Child Welfare: Funding for Child and Family Services Authorized Under Title IV-B of the Social Security Act* (June 2011) reports that 10 states budgeted or spent less than 20 percent in adoption promotion and support in 2007 or 2010. There is no suggestion in this report that HHS is monitoring state implementation or requiring states to follow HHS policy.

¹ North American Council on Adoptable Children Survey of Post-Adoption Needs, 2010-2011

We ask Congress to require HHS to enforce its regulation that states spend 20 percent on adoption promotion and support. We also request that as you reauthorize PSSF that you clarify the post-adoption services that can be covered including support groups, training for parents and children, parent-to-parent peer support, warm lines, case management, educational advocacy and support, respite care, crisis intervention, and mental health and other therapeutic services.

- Another funding stream that should be utilized to support the 500,000 former foster children who have been adopted in the past 10 years is the maintenance of effort (MoE) provision of the Fostering Connections to Success and Increasing Adoptions Act (Public Law 110-351). As more adopted children become eligible for Title IV-E adoption assistance, states are required to reinvest the resulting savings in child welfare services. Unfortunately Program Instruction ACYF-CB-PI-10-11 issued July 9, 2010 gave state agencies the flexibility to calculate the savings, provided no guidance on the use of the MoE funds, and failed to require an accounting of these funds.

NACAC asks Congress to mandate that states reinvest 20 percent of these MoE funds in post-adoption services. While states value flexibility in the use of federal funds, a case can be made to commit a small percentage to the very children whose adoption created these savings in the first place.

- The Adoption Incentives program can also be used to supplement post-adoption services. Congress should fully fund the program and require states to spend the funds on post-adoption support. For adoptions finalized in 2009, states received just 87 percent of what they should have been awarded for increasing the adoptions for children from foster care, particularly those with special need and older youth. Adoption incentive should also be spent to support the newly created families. Because these funds vary year to year, however, states should not be expected to rely solely on adoption incentives for critical, ongoing post-adoption services.

The benefits of adoption for children in foster care have been well documented. Post-adoption supports clearly play a critical role in the adoption of children with special needs—making it possible for them to be adopted by loving families who have the resources necessary to support them. These services are a vital support to families raising children with often serious behavioral, emotional, or physical disabilities. With support programs, families are able to remain committed and effective parents as they raise their children who have special needs. As a result, these children achieve the safety, well-being, and permanency that the government has sought for them.